

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 6-17, 21-22, 24, 26, 31 and 35-47 are pending in the application. Claims 6-17, 21-22, 24, 26, and 31 have been amended to overcome the Examiner's *35 U.S.C. 112, second paragraph* rejection. Claims 1-5, 18-20, 23, 25, 27-30 and 32-34 have been cancelled without prejudice or disclaimer. Claims 35-47 have been added to provide Applicants with the scope of protection to which they are believed entitled. The specification has been revised to include appropriate headings per Examiner's request. No new matter has been introduced through the foregoing amendments.

Claim Rejections - 35 U.S.C. 112, second paragraph

The *35 U.S.C. 112, second paragraph* rejection manifested in paragraph 4 of the Office Action is believed overcome in view of the above amendments.

More particularly, the examiner's suggestion of --inflexible-- has been used to replace the term "rigid" in claims 6, 20 and 30.

The term "drillable areas" in original claims 9 to 11 have been changed to --uncoated, drilling areas--. Likewise, the remaining claims have been amended to change "cuttable lines" to --uncoated, cutting lines--. Such amendment is directed towards the concept of the present application because the material used to form the non-slip coating is a cut-resistant coating. Then, coating-free or uncoated lines and areas must be provided to enable the substrate to be cut or drilled on the site.

Claim 11 has now been made dependent upon claim 9 and the words "or each" have been deleted from claims 11 and 13, in the manner kindly suggested by the Examiner in the Office Action.

Amended claim 6 now specifies a working surface such that claim 11 is properly dependent.

Claims 15 to 17, 20, 25 and 30 have been amended so as to specify "the substrate is an unsaturated polyester based on an orthophthalic resin filled with e-glass fibre" or "an aluminium oxide particulate" as necessary.

Claim 19 is recognized as being an omnibus type claim and has been deleted.

Claim 22 has been amended to adopt proper language for a Markush group as kindly suggested by the Examiner in the Office Action.

The incorrect dependency of the claim 24 has been fixed.

The term "having" has been replaced by the term --comprising--.

Claim Rejections - 35 U.S.C. 102

The rejection of claims 6, 7, 9-11 and 19 as being anticipated by *Robbins* (U.S. Patent No. 4,340,633) is noted. Claims 7 and 9-11 are all dependent upon claim 6 and claim 19 is now deleted.

Claim 6 specifies a **cut-resistant** anti-slip coating on a **working surface** of an inflexible substrate and a pattern of **uncoated** cutting lines of the substrate. *Robbins* is directed towards the provision of "web segments or strips 26 adhesively attached to the bottom surface 12 of the mat 10 so that when the surface 12 is placed on top of a carpet the cleats 28 which project from one surface of the segments 26 will grip the carpet and hold the mat 10 in a desired position." There is no disclosure by *Robbins* that the web segments or strips are cut-resistant, they are specified as being attached to the bottom surface of the mat which is not the working surface of a shapable weather resistant anti-slip panel, and there is no pattern of uncoated cutting lines on the substrate. In contradistinction, the bottom surface 12 of the mat 10 in *Robbins* is shown to have a restricted number of web segments or strips; there are no "lines". It is respectfully submitted that *Robbins* is directed toward a different technical solution, and with the above stated differences, claim 6 is not anticipated by *Robbins*. Claims 7 and 9-11 depend from claim 6 and are not anticipated by *Robbins* at least for the same reason.

Claim Rejections - 35 U.S.C. 102/103

The rejections of claims 15-16, 20-22, and 25-27 are noted. Claims 20, 25 and 27 have been cancelled.

Claims 15, 16, 22 are dependent upon claim 6 and the above arguments with regard to lack of anticipation by *Robbins* apply. Claims 15-16 and 22 are not obvious over *Robbins* because the reference fails to disclose, teach or suggest the presently claimed **material**.

Claim Rejections - 35 U.S.C. 103(a)

The rejection of claim 6, 7, 9-17, 19-22, 25--27 and 30-32 as unpatentable over *Eiden* in view of *Canning* or *Robbins* is traversed because the references, even if properly combinable, would fail to disclose, teach or suggest all limitations of the rejected claims.

In the office action, the Examiner admits that *Eiden* fails to disclose a pattern of cuttable lines but cites *Canning* as disclosing a slip-resistant mat with a perforation in order to separate the mats into "mini-mats" and *Robbins* as disclosing web strips provided with severing lines to facilitate separation of the roll into individual segments.

All the rejected claims include the feature of a cut resistant anti-slip coating on a working surface of the substrate and a pattern of uncoated cutting lines on the working surface. *Canning* only discloses the provision of perforations 406 in a roll for a floor of mat to enable mini mats to be separated therefrom; this is equivalent to a perforated substrate. The teaching of *Canning* is that the whole slip resistant mat can be rendered separable into mini mats by provision of perforations *throughout the structure of the mat*. The present invention as defined in the rejected claims is directed towards providing uncoated cutting lines in a cut-resistant anti-slip **coating** on a working surface of a substrate. This structure is not taught by perforations in the coating *and* substrate combined, which would be the inevitable result of the combination of *Eiden* with *Canning*. It is further noted that neither *Eiden* nor *Canning* **disclose** fine slip resistant surface as being **cut resistant**, which is the essence of the claimed invention.

As previously discussed, *Robbins* only discloses forming severing lines of perforations in a roll 42 of web segments. This is solely to render segments to be adhesively attached to a mat 10 readily severable and only teaches that this carpet grip web segment can be detached prior to attachment to a mat 10. It is not recognized how *Robbins* could be combined with *Eiden* to arrive at the invention as defined in the rejected claims, but the result of such a combination could only be that abrasive anti-slip segments could *be* separable from a roll prior to attachment

to a backing layer or mat. *Eiden* nowhere discusses or discloses the problem of cutting or shaping an anti-slip mat having an anti-slip surface incorporating cut-resistant material.

The rejection of claims 6, 8-17, 19, 20, 22-25, 28-30, 33 and 34 as being unpatentable over *van Schoyck* in view of *Canning* or *Robbins* is traversed because the references, even if properly combinable, would fail to disclose, teach or suggest all limitations of the rejected claims.

Again the Examiner recognizes that *van Schoyck* fails to disclose a pattern of cuttable lines; thus the above arguments applied to the rejection of these claims as being unpatentable over *Eiden* in view of *Canning* or *Robbins* essentially apply to the *van Schoyck* reference. In particular, *van Schoyck* discloses a system of flooring modules 82 within a framing grid 16. There is no disclosure in *van Schoyck* of the concept of making any individual module **shapable**. Indeed *van Schoyck* is directed towards having modules of *specific dimensions*, for example, so as to be compatible with all conventional commercial dish washers. *See* column 5 lines 3 to 13. This and the provision of a grid in which the modules are locked are such that there is no teaching in *van Schoyck* to render the individual modules shapable. In the circumstances, the teaching of *van Schoyck* cannot be combined with the disclosure of either *Canning* or *Robbins* to provide a **shapable** weather resistant. anti-panel, as presently claimed.

New independent claim 35 is clearly patentable over the applied art of record for the following reasons.

New claim 35 is not anticipated by or obvious over *Robbins* because the reference fails to disclose, teach or suggest that **the cut-resistant anti-slip coating is harder than the substrate**. It appears that the Examiner is reading mat 12 and strip 26 in Fig. 1 of *Robbins* on the claimed substrate and coating, respectively. However, the reference is silent on whether strip 26 is made from a material having a hardness greater than that of mat 12. On the one hand, it should be noted that mat 12 of *Robbins*, which is a chair mat (column 1, line 12) must have a sufficient hardness to protect the underlying wood floor or carpet (column 1, line 8) from damage, and to cause the mat, if not equipped with cleats or claws, to slip out of position (column 1, line 13). On the other hand, strip 26 of *Robbins* is sufficiently flexible so that it can be rolled as shown in Fig. 5. The above

suggest that *Robbins* discloses a structure with mat 12 being harder than strip 26, which is opposite to the claimed structure. New claim 35 is thus patentable over *Robbins*.

New claim 35 is not obvious over *Eiden* in view of *Canning* or *Robbins* because the references, as combined in the manner proposed by the Examiner, would not teach or disclose all limitations of claim 35. The Examiner tends to hold that *Eiden* teaches many limitations of the present invention except the claimed pattern of cutting lines. The Examiner proposes to form perforation lines in the *Eiden* mat as taught by *Canning* or *Robbins* to arrive at the present invention. However, the Examiner's combination, even if proper, would include only a plurality of **discrete holes** each extending through the entire mat. Such a hypothetical structure is not readable on the uncoated cutting **lines** of claim 35 which lines are defined on the working surface of said substrate. New claim 35 is thus patentable over *Eiden* in view of *Canning* or *Robbins*.

New claim 35 is not obvious over *van Schoyck* in view of *Canning* or *Robbins* for the same reason advanced immediately above. New claim 35 is not obvious over *van Schoyck* in view of *Canning* or *Robbins* also because the references are not properly combinable. Namely, a person of ordinary skill in the art would not have been motivated to form the *Canning* or *Robbins* perforations in the **wood** slats of *van Schoyck* as suggested by the Examiner. *Canning* and *Robbins* teach forming perforations in a length or roll of flexible mat to facilitate separation of mini-mats from the roll, similar to separating a paper towel from a paper towel roll. *See* column 5, lines 3-6 of *Canning*. Forming perforations in wood slats would not significantly simplify separation since it is necessary to saw the wood slats anyway. Perforations in wood slats would also make a flooring system including such perforated wood slats unsafe. *See* Fig. 1 of *van Schoyck*. Thus, the Examiner's rationale in the last full paragraph on page 10 of the Office Action is not an adequate suggestion or motivation to combine the references.

Accordingly, claim 35 is clearly patentable over the applied art of record. Claims 36-46 as well as independent claim 47 are considered patentable at least for the reason advanced with respect to claim 35. Claims 36-47 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art.

As to claim 36, the applied art of record fails to disclose, teach or suggest that the **working surface is exposed** along said cutting lines, as presently claimed. This feature finds solid support

in the original specification, e.g., page 4, lines 28-31 and page 5, line 5. The applied references, especially *Robbins* and *Canning* teach, at best, through holes through which the working surface of the *substrate* underlying the coating is *not* exposed.

As to claim 37, the applied art of record fails to disclose, teach or suggest that the **cutting lines extend continuously** and intersect each other, as presently claimed. The applied references, especially *Robbins* and *Canning* teach, at best, a plurality of discrete through holes.

As to claim 40, the applied art of record fails to disclose, teach or suggest a particle size of **0.85-1.7 mm** and **aluminum oxide**, as presently claimed

As to claims 41-42, the applied art of record fails to disclose, teach or suggest a **unsaturated polyester based on an orthophthalic resin**, as presently claimed.

As to claims 43-45, the applied art of record fails to disclose, teach or suggest a further top **basin formed over said coating** and said cutting lines, as presently claimed. *See* page 5, lines 7-11 of the specification.

As to claims 46, the applied art of record fails to disclose, teach or suggest that the **coating is made of particles embedded in the substrate**, as presently claimed. *See* page 5, lines 31-32 of the specification.

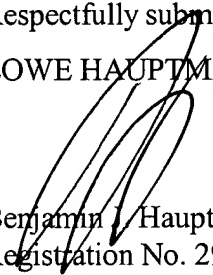
As to claims 47, the applied art of record fails to disclose, teach or suggest a stair tread, as presently claimed. *Robbins* and *Eiden* do not teach stair treads. It should be noted that a stair tread should be sufficiently rigid for the mechanical requirements of such a given application. *See* page 1 lines 11 to 13 of the specification. The mats/mini mats/cleats of *Robbins* and *Eiden* do not appear to have such a rigidity as they can be rolled. *van Schoyck* teaches wood slats which cannot be properly modified to include the claimed cutting lines, for the reasons advanced with respect to claim 35.

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

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